

DECLARATORY
~~Improvement~~ Res. No. 1296-1970

For the Condemnation of right of way
for street purposes to widen Eastbrook
Drive, south of Irvington Park Addition.

Resolution Adopted: Nov. 4, 1970

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

1296

B.O.2400

DECLARATORY RESOLUTION NO. 1296-1970

For the Condemnation of right of way for street purposes to widen Eastbrook Drive, south of Irvington Park Addition.

ADOPTED: Nov. 4, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: Nov. 7 & 14, 1970

NOTICES MAILED: Nov. 20, 1970

HEARING ON CONFIRMATION: Thurs., Dec. 3, 1970 3:30 p. m.

CONFIRMED: Dec. 3, 1970

ASSESSMENT ROLL ORDERED: Dec. 3, 1970

ASSESSMENT ROLL APPROVED: Jan. 5, 1971

Adv. notice to non-resident - Jan. 8, 15, 22, 1971

HEARING ON CONFIRMATION OF ASSM'T ROLL: ~~xxxxxx22xx1971~~

NOTICE SERVED: Thursday, Feb. 4, 1971, 3:30 p.m.
January 22, 1971

ASSESSMENT ROLL CONFIRMED: February 4, 1971

For the ~~Vacation Opening~~ Condemnation of right of way for ~~utility purposes~~ street purposes to widen Eastbrook Drive, south of Irvington Park Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for street purposes to widen Eastbrook Drive, south of Irvington Park Addition, more particularly described as follows:

(See attached sheet)

All as shown by a plan of such proposed ~~Vacation Opening~~ Condemnation of right of way for ~~utility~~ street purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

~~The cost of said Vacation Opening Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.~~

The property which may be injuriously or beneficially affected by such ~~Vacation Opening~~ Condemnation of right of way for ~~utility~~ street purposes is described as follows: Space lying west of Clinton Street and south of Irvington Park Addition. Said space is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described condemnation of right of way for street purposes are situated in the northeast quarter of Section Thirty-five, Township 31 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 4 DAY OF November 19 70

Attest:
Secretary Board of Public Works.

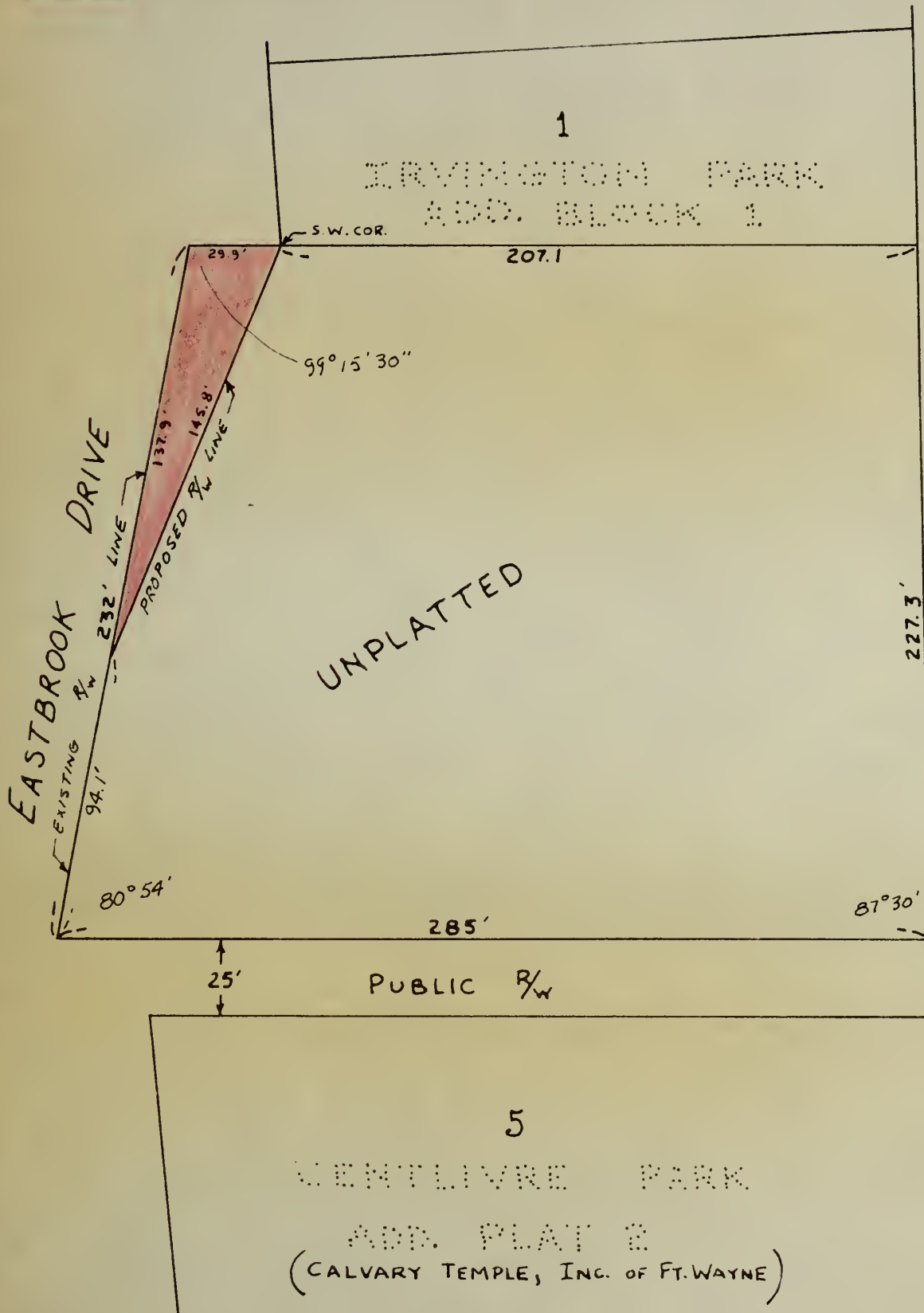
Robert W. Walker
Board of Public Works.

PROPERTY TO BE CONDEMNED FOR STREET PURPOSES
EASTBROOK DRIVE

Beginning at the southwest corner of Lot No. 1, Block No. 1, Irvington Park Addition to the City of Fort Wayne; thence in a westerly direction along the south line projected of said Lot No. 1, a distance of 29.9 feet; thence in a southwesterly direction by deflection left of 80 degrees, 44 minutes, 30 seconds, a distance of 137.9 feet; thence in a northeasterly direction, a distance of 145.8 feet, to the point of beginning.



PROPERTY TO BE CONDEMNED FOR STREET PURPOSES



ENGINEERING
DEPT. OF STREETS

DATE October 27, 1970

NOTED

☐ F.S.E.

TO: Board of Public Works

☒ R.W.D.

SUBJECT: Board Order No. 242-1970

☐ G.F.G.

Date _____

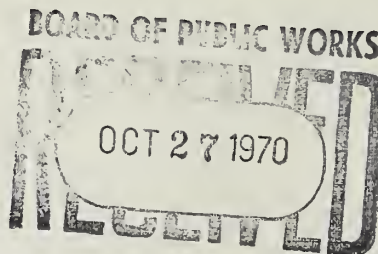
As we have previously advised, it is necessary to condemn a triangular piece of property in connection with the paving of Eastbrook Drive under Improvement Resolution No. 5561-1970.

We are attaching a Declaratory Resolution, drawing and property ownership list for this purpose.

The property involved has been appraised at \$1600. The street assessment will be approximately \$2700.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.



1296

NOTICE TO PROPERTY OWNER

Office Board of Public Works

City Hall

Fort Wayne, Indiana.....November 20, 1970.....

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No. 1296-1970..... providing for the Condemnation of right of way for street purposes to widen Eastbrook Drive, south of Irvington Park Addition.

The Board has fixed Thursday, December 3, 1970 at 3:30 pm in Conference Room 102 a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

Description

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Board of Public Works, City of Fort Wayne
(Governmental Unit)

To: NEWS-SENT INEL Dr.

Allen County, Ind. FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

NOV 18 1970

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

48 lines, 1 columns wide equals equivalent lines at .288¢ cents per line \$ 13.82

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM \$ 13.82

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5 1/2 point

Number of insertions two Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 11-16-70, 19 Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows: November 7 and November 14, 1970

Subscribed and sworn to before me this 16th day of November 1970

Edith Stapleton Notary Public

My commission expires March 8, 1974

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 4th day of November, 1970 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION

NO. 1296-1970

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for street purposes to widen Eastbrook Drive, south of Irvington Park Addition, more particularly described as follows: Beginning at the southwest corner of Lot No. 1, Block No. 1, Irvington Park Addition to the City of Fort Wayne; thence in a westerly direction along the south line projected of said Lot No. 1, a distance of 29.9 feet; thence in a southwesterly direction by deflection left of 80 degrees, 44 minutes, 30 seconds, a distance of 137.9 feet; thence in a northeasterly direction, a distance of 145.8 feet, to the point of beginning.

All as shown by a plan of such proposed Condemnation of right of way for street purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The Board of Public Works has fixed Thursday, the 3rd day of December, 1970 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

FRED S. EHRMAN
ROBERT W. DAHMAN
GEO. F. GABLE
BOARD OF PUBLIC WORKS
ATTEST: Kenneth McGraw, Clerk
11-7-14



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Claim No. Warrant No.

IN FAVOR OF

\$.....

On Account of Appropriation for

Appropriation No.

Allowed....., 19.....

In the sum of \$.....

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is apparently) Correct
 { Incorrect

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Board of Public Works, City of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

TV 18 1970

1

42

5

48

COMPUTATION OF CHARGES

48 lines, 1 columns wide equals equivalent lines at .288¢
cents per line

\$ 13.82

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 13.82

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions two

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 11-16-70, 19

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

November 7 and November 14, 1970

Subscribed and sworn to before me this 16th day of November 1970

Edith Stapleton
Notary Public

My commission expires March 8, 1974

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 4th day of November, 1970 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION

NO. 1296-1970

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right of way for street purposes to widen Eastbrook Drive, south of Irvington Park Addition, more particularly described as follows: Beginning of the southwest corner of Lot No. 1, Block No. 1, Irvington Park Addition to the City of Fort Wayne; thence in a westerly direction along the south line projected of said Lot No. 1, a distance of 29.9 feet; thence in a southwesterly direction by deflection left of 80 degrees, 44 minutes, 30 seconds, a distance of 137.9 feet; thence in a northeasterly direction, a distance of 145.8 feet, to the point of beginning.

All as shown by a plan of such proposed Condemnation of right of way for street purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The Board of Public Works has fixed Thursday, the 3rd day of December, 1970 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

FRED S. EHRMAN
ROBERT W. DAHMAN
GEO. F. GABLE

BOARD OF PUBLIC WORKS

ATTEST: Kenneth McGrow, Clerk
11-7-14

Claim No..... Warrant No.....

IN FAVOR OF

\$.....

On Account of Appropriation for

Appropriation No.....

Allowed....., 19.....

In the sum of \$.....

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is apparently } Correct
 { Incorrect

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

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Board of Public Works, City of Ft. Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1

27

5

33

COMPUTATION OF CHARGES

33 lines, columns wide equals equivalent lines at 38¢ cents per line

\$12.67

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$12.67

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 3

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date January 26, 1971

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 3 time s, the dates of publication being as follows:

January 8, 15, 22, 1971

A. M. Hostman
26th day of January 1971

Subscribed and sworn to before me this
Edith Stapleton
Notary Public

My commission expires March 8, 1974

NOTICE TO NON-RESIDENTS
TO: Bogash, Nevo, 3015 N. Clinton Street, Fort Wayne, Indiana, and to all others whom it may concern.
Virginia Duran Whitley, 115 Gilmore Boulevard, Floral Park, Long Island, N.Y.
All in pursuance to Street Declaratory Resolution No. 1296-1970 for the Condemnation of right of way for street purposes to widen Eastbrook Drive, south of Irvington Park Addition North 227 ft. of S.E.¼ of Sec. 35, Township 30 North, Range 12 East, lying west of Clinton Street and east of Eastbrook Drive. The Easement is needed and authorized by an Act of the General Assembly of the State of Indiana, approved March 6, 1905, entitled "An Act Concerning Municipal Corporations," and the provisions of all Acts amendatory thereto and supplemental thereof. Amount of Damages \$1,600.00.
The Board of Public Works has fixed Thursday, February 4, 1971 at 3:30 p.m., as the date and time when the Board will meet for the purpose of hearing any or such remonstrances which you may desire to present in regard to the amount of Benefits and Damages as aforesaid and for the purpose of taking action thereon.
FRED S. EHRLMAN,
ROBERT W. DAHMAN,
GEO. F. BABLE,
BOARD OF PUBLIC WORKS.
ATTEST: Kenneth McGraw, Clerk.
1-8-15-22.

Claim No..... Warrant No.....

IN FAVOR OF

\$.....

On Account of Appropriation for

Appropriation No.....

Allowed....., 19.....

In the sum of \$.....

I have examined the within claim and hereby certify as follows:
That it is in proper form.
That it is duly authenticated as required by law.
That it is apparently } Correct
 } Incorrect

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Board of Public Works, City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

JAN 29 1971

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	1
Body number of lines	27
Tail number of lines	5
Total number of lines in notice	33

COMPUTATION OF CHARGES

33 lines, columns wide equals equivalent lines at .384¢ cents per line	\$ 12.67
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 12.67

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 3	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla De Wald

Date January 26, 1971

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE WALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 3 times, the dates of publication being as follows:

January 8, 15, 22, 1971

Subscribed and sworn to before me this 26th day of January 1971
Edith Stapleton
Notary Public

My commission expires March 8, 1974

Legal Notices

NOTICE TO NON-RESIDENTS

TO: Bogash, Neva, 3015 N. Clinton Street, Fort Wayne, Indiana, and to all others whom it may concern.

Virginia Duran Whitley, 115 Gilmore Boulevard, Floral Park, Long Island, N.Y.

All in pursuance to Street Declaratory Resolution No. 1296-1970 for the Cancellation of right of way for street purposes to widen Eastbrook Drive, south of Irvington Park Addition North 227 ft. of S.E.¼ of Sec. 35, Township 30 North, Range 12 East, lying west of Clinton Street and east of Eastbrook Drive. The Easement is needed and authorized by an Act of the General Assembly of the State of Indiana, approved March 6, 1905, entitled "An Act Concerning Municipal Corporations," and the provisions of all Acts amendatory thereto and supplemental thereof. Amount of Damages \$1,600.00.

The Board of Public Works has fixed Thursday, February 4, 1971 at 3:30 p.m., as the date and time when the Board will meet for the purpose of hearing any or such remonstrances which you may desire to present in regard to the amount of Benefits and Damages as aforesaid and for the purpose of taking action thereon.

FRED S. EHRMAN,
ROBERT W. DAHMAN,
GEO. F. BABLE,
BOARD OF PUBLIC WORKS.

ATTEST: Kenneth McGraw, Clerk.

1-8-15-22.

Claim No..... Warrant No.....

IN FAVOR OF

\$.....

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Note: Above table is based on a square of 250 ems.

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

NOTED

F.S.E.

R.W.D.

G.F.C.

56-144-1

Dec. 3, 1970

Date

Date

B.O.242-70

To City Engineer

Subject Dec. 1296-1970 Eastbrook Dr.

The Board awards damages of \$1,600.00 to Neva Bogash and Virginia Duran for the North 227 feet of N.E. $\frac{1}{4}$ Section 35, Twp. 31 North, Range 12 East. Prepare Assessment Roll of Benefits and Damages accordingly.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
encl. P.O. list & Reso.

Signed

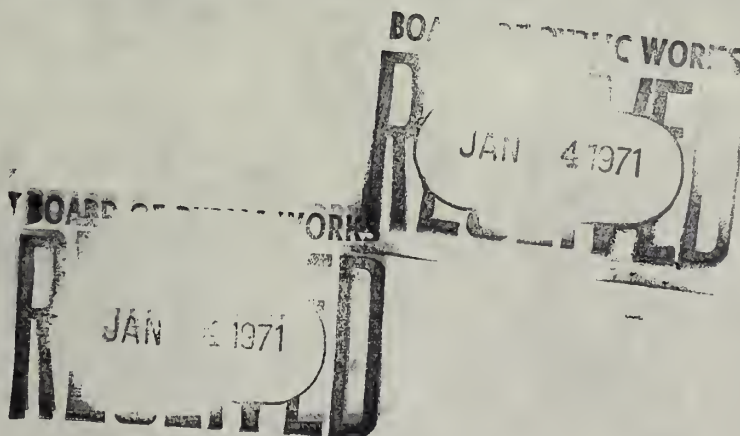
Reply:

December 30, 1970

Assessment roll of Benefits and Damages completed and attached.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.



Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

DECLARATORY

Resolution No: 1296-1970 For CONDEMNATION OF RIGHT-OF-WAY FOR STREET PURPOSES TO WIDEN

EASTBROOK DRIVE, SOUTH OF IRVINGTON PARK ADDITION

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O.L.	
1	BOGASH, NEVA &	3015 N. CLINTON ST. - FLOWING				North 22° 11' 00" N.E. 1/4 SECT. 15, TWP 31 NORTH, RANGE 12 EAST
2	DURAN, VIRGINIA	115 GILMORE BLVD. FLORAL PARK, LONG ISLAND, NEW YORK				
3	WATLEY					
4						
5						
6						
7						
8	NOTE: CALL FOR MEETING - CITY ENGINEER'S OFFICE					
9	BEFORE MAILING NOTICES.					
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61	NOTICES MAILED OR SERVED:					
62	November 21, 1970					
63	By: Cheryl DeLong					
64						
65						
TOTAL						

